



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

February 4, 2004

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

TO: Interested Parties / Applicant

RE: Gaska Tape / 039-16327-00077

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Section 112(j) Applicability Determination

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-5(f) this order is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for a stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) the date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons with particularity, for the request;
- (5) the issues, with particularity, proposed for consideration at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosure
FN-112jdet.dot 9/16/03



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

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Governor

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February 4, 2004

Mr. Jack Smith Jr. 61-50 DW
Gaska Tape
1810 West Lusher Avenue
Elkhart, IN 46517

Re: Response to Review Request No. 16327:
 Section 112(j) Applicability Determination
 Plant ID: 039-00077

Dear Mr. Smith:

Gaska Tape, located at 1810 West Lusher Avenue in Elkhart, Indiana, submitted a request for an applicability determination regarding the requirements of Section 112(j) of the Clean Air Act (CAA) on May 16, 2002. The letter was submitted in accordance with 40 CFR 63.52(d)(1) and requested that the Indiana Department of Environmental Management, Office of Air Quality (IDEM, OAQ) determine if Gaska Tape is subject to the requirements of Section 112(j) (40 CFR 63.50 through 63.56) for the following source categories:

- Flexible Polyurethane Foam Fabrication Operations; and
- Industrial, Commercial, & Institutional Boilers and Process Heaters.

Pursuant to 40 CFR 63.50, the requirements of Section 112(j) will apply only if your entire source is a major source of hazardous air pollutants (HAPs) and one or more of your processes or emissions units belong in a category or subcategory for which the United States Environmental Protection Agency (U.S. EPA) has failed to promulgate an emission standard on or before the Section 112(j) deadline. IDEM, OAQ has determined that your source is not subject to Section 112(j) for the following source categories:

- Flexible Polyurethane Foam Fabrication Operations; and
- Industrial, Commercial, & Institutional Boilers and Process Heaters.

Explanations of these determinations are provided below.

MAJOR SOURCE DETERMINATION

The information submitted in the Part 1 MACT Application indicates that Gaska Tape is a major source of HAPs. In addition, the Title V permit for Gaska Tape, T039-6352-00077, issued on March 27, 2002, confirms that the source is a major source of HAPs. Since Gaska Tape is a major source of HAPs, IDEM, OAQ evaluated the source categories for which Gaska Tape requested an applicability determination.

SOURCE CATEGORY DETERMINATION

1. **Flexible Polyurethane Foam Fabrication Operations NESHAP**

IDEM, OAQ used the following information to determine if converting polyurethane roll product into various weatherstrip products by slitting and die cutting belongs to the affected source category, Flexible Polyurethane Foam Fabrication Operations:

- The Part 1 Maximum Achievable Control Technology (MACT) Application;
- The issued Title V permit for Gaska Tape;
- The final federal rule from the April 14, 2003 *Federal Register*; and
- Background information available at the U.S. EPA Air Toxics Website at <http://www.epa.gov/ttn/atw/foam2/foam2pg.html>.

The final MACT Standard for the Flexible Polyurethane Foam Fabrication Operations source category was published on April 14, 2003. Since the U.S. EPA promulgated a final MACT standard for the Flexible Polyurethane Foam Fabrication Operations source category, Gaska Tape is no longer subject to Section 112(j) for that source category, including the requirement to submit a Section 112(j) Part 2 MACT Application. If Gaska Tape is subject to Section 112(j) for any other source categories, Gaska Tape shall submit a Part 2 MACT Application for those source categories.

The final rule for this source category applies to plant sites where pieces of flexible polyurethane foam are bonded together or to other substrates using HAP-based adhesives or flame lamination. Section 63.8784(b) of the proposed rule limits applicability for bonding with HAP-based adhesives to operations using a loop splitter. A loop splitter is a large machine used to create thin sheets of foam from the large blocks of foam created at a foam production plant. Based on the information in the Part 1 application, this process at Gaska Tape does not contain a loop splitter. Therefore, Gaska Tape is not subject to the Flexible Polyurethane Foam Fabrication Operations MACT at this time.

2. **Industrial, Commercial, & Institutional Boilers and Process Heaters NESHAP**

IDEM, OAQ used the following information to determine if the gas-fired process heaters for the dryer oven at Gaska Tape belong to the affected source category, Industrial, Commercial, & Institutional Boilers and Process Heaters:

- The Part 1 Maximum Achievable Control Technology (MACT) Application;
- The issued Title V permit/ past construction and operating permits for Gaska Tape;
- The proposed federal rule from the January 13, 2003 *Federal Register*; and
- Background information available at the U.S. EPA Air Toxics Website at <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>.

Gaska Tape requested an applicability determination for the dryer oven, identified as OVCST-1, consisting of four natural gas-fired burners, identified as BRN-1 through BRN-4. BRN-1 has a heat input capacity of 850,000 British thermal units per hour (Btu/hr) and Burners BRN-2 through BRN-4 have heat input capacities of 500,000 Btu/hr each. The oven is used to heat, cure, and dry the product from the custom lamination line.

There is no final MACT Standard for the Industrial, Commercial, & Institutional Boilers and Process Heaters source category. The proposed rule for this source category was published on January 13, 2003. Section 63.7490(b) of the proposed rule for the Industrial, Commercial, & Institutional Boilers and Process Heaters NESHAP defines the affected source to which the Industrial, Commercial, and Institutional Boilers and Process Heaters MACT will apply as "each industrial, commercial, or institutional boiler or process heater, as defined in [40 CFR] 63.7485..." The definition of "process heater" provided in 40 CFR 63.7485(a) is: "... an enclosed device using controlled flame with the unit's primary purpose being to transfer heat indirectly to process streams (liquids, gases, or solids), instead of generating steam." The dryer oven is a direct-fired infrared unit, and its primary purpose is to transfer heat directly to the process stream. Since the dryer oven is not indirectly fired, the dryer oven is not a process heater as defined under the proposed MACT.

Pursuant to 40 CFR 63.52(e)(2)(i), based on the information available at this time, IDEM, OAQ has determined that natural gas-fired dryer oven at Gaska Tape does not belong to the affected source category, Industrial, Commercial, & Institutional Boilers and Process Heaters. Gaska Tape will not be

required to submit a Part 2 MACT Application in accordance with 40 CFR 63.53(b) for this affected source category. If Gaska Tape is subject to Section 112(j) for any other source categories, Gaska Tape shall submit a Part 2 MACT Application for those source categories.

If U.S. EPA promulgates a final MACT standard prior to IDEM, OAQ issuing a permit containing the Section 112(j) determination requirements, a source is no longer subject to Section 112(j) for that source category, including the requirement to submit a Section 112(j) Part 2 MACT Application. A source is still subject to Section 112(j) for any other source categories that do not have promulgated MACT standards.

This determination is based on the information provided by Gaska Tape, IDEM, OAQ records, and the information currently available from the U.S. EPA. Note that if additional equipment or capacity is added or operational practices are changed (e.g., switching solvents from a solvent that contains no HAPs to a solvent containing HAPs), the Section 112(j) requirements may be triggered in accordance with 40 CFR 63.52(b). If the events described in 40 CFR 63.52(b) occur at the source, Gaska Tape shall submit a Part 1 MACT Application in accordance with the requirements and schedule contained in 40 CFR 63.52(b).

Questions should be directed to Rebecca Mason, IDEM, OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call (800) 451-6027, ask for Rebecca Mason at extension 3-9664, or dial (317) 233-9664.

Sincerely,

Original Signed by Paul Dubenetzky

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

RM

CC: File - Elkhart County
Elkhart County Health Department
Air Compliance – Paul Karkiewicz
Northern Regional Office
Administration Section
U.S. EPA Region V – Genevieve Damico

Mr. James Shafer
Gaska Tape
1810 West Lusher Avenue
Elkhart, IN 46517

Mr. Michael Cira
Bruce Carter Associates, L.L.C.
733 Princeton Street
Elkhart, IN 46516